

# Exhibit 12

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANUCHA BROWNE SANDERS,

Plaintiff,

-against-

06 CV 0589 (GEL)

MADISON SQUARE GARDEN, L.P.,  
ISIAH LORD THOMAS III and JAMES L. DOLAN,

Defendants.

-----X  
VIDEOTAPED DEPOSITION OF JEFFREY NIX

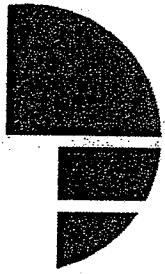
New York, New York

Friday, January 26, 2007

REPORTED BY:

BARBARA R. ZELTMAN

JOB NO.: 11467



**David Feldman**  
Worldwide

From File to Trial.

805 Third Avenue, 8<sup>th</sup> Floor  
New York, NY 10022  
(800) 642-1099

600 Anton Boulevard, 11<sup>th</sup> Floor  
Costa Mesa, CA 92626  
(866) DFW-1380

1 <b>JEFFREY NIX</b> 2                   But let me just in terms of time, 3                   because you've expressed some confusion 4                   about whether it was '04 or '05. Isiah 5                   Thomas would have come in December of '03. 6                   would have started working probably 7                   actively I could say in January of '04. 8                   Would this have been relatively 9                   soon after he arrived that this event 10                  occurred? 11                  A <b>I think it was in the spring of</b> 12 <b>'04, yes.</b> 13                  Q    And do you have a specific 14                  recollection of her telling you that he 15                  had stood over her desk and used the word 16                  "bitch"; do you have a specific 17                  recollection of her telling you about it 18                  at the time? 19                  MR. MINTZER: Asked and answered. 20                  A <b>She told me at the time, yes.</b> 21                  Q    And how was it that she told you? 22                  Was it in person, was it by phone? 23                  A <b>It was by telephone.</b> 24                  Q    When she told you that, were you 25                  surprised?	74 1 <b>JEFFREY NIX</b> 2                   Frank Murphy took on more responsibilities 3                   that -- strike that. 4                   Would it be fair to say that 5                   Anucha Browne Sanders had an easier time 6                   dealing with you than she had with Frank 7                   Murphy? 8                   MR. MINTZER: Objection to form. 9                  A <b>I don't know.</b> 10                  MR. ADES: Did she get along with 11                  you? 12                  THE WITNESS: She got along with 13                  me. 14                  MR. ADES: Did she get along with 15                  Frank? 16                  THE WITNESS: She worked with 17                  Frank. 18                  MR. ADES: Come on, Jeff. Did 19                  she get along with Frank? 20                  THE WITNESS: I thought she got 21                  along with Frank. 22                  Q    And so when she told you that he 23                  uses language with you, what, if anything 24                  else, was said? 25                  A <b>When he left the office, she got</b>
75 1 <b>JEFFREY NIX</b> 2                  A <b>No.</b> 3                  Q    And why were you not surprised? 4                  A <b>Because I thought Frank had some</b> 5 <b>animosity towards Anucha.</b> 6                  Q    And so would it be fair to say 7                  that you believed Frank had animosity 8                  towards Anucha well prior to the time that 9                  Isiah Thomas ever arrived? 10                  MR. MINTZER: Objection to form. 11                  A <b>I wouldn't know that.</b> 12                  Q    Well, I mean did you think that 13                  this was a long-standing animosity between 14                  Frank Murphy and Anucha Browne Sanders? 15                  MR. MINTZER: Objection to form. 16                  A <b>I think there was animosity that</b> 17 <b>built up over time.</b> 18                  Q    And was it just starting to build 19                  in '04 or had it been building prior to 20                  that time? 21                  MR. MINTZER: Objection to form. 22                  Asked and answered. 23                  A <b>I am not sure. I think it was</b> 24 <b>built over a period of time.</b> 25                  Q    Would it be fair to say that as	75 1 <b>JEFFREY NIX</b> 2 <b>on the phone and called Isiah Thomas.</b> 3                  Q    She told you that? 4                  A <b>That's what Anucha Browne Sanders</b> 5 <b>told me, she called Isiah Thomas.</b> 6                  Q    Because obviously I'll be saying 7                  quite often probably during the course of 8                  this deposition, you weren't a witness to 9                  any of these interactions between her and 10                 Isiah Thomas? 11                  MR. MINTZER: Objection to form. 12                  Q    With the exception of the hug 13                  that we talked about earlier? 14                  A <b>That's correct.</b> 15                  Q    And so what did she -- with 16                  regard to whatever else she told you about 17                  that conversation with Isiah Thomas, did 18                  she tell you about it at the time or did 19                  she tell you about it later? 20                  MR. MINTZER: Objection to form. 21                  Asked and answered. 22                  A <b>Shortly after it happened.</b> 23                  Q    And what was it that she told you 24                  occurred? 25                  A <b>She told me that Frank come in to</b>

	78		80
1	<b>JEFFREY NIX</b>	1	<b>JEFFREY NIX</b>
2	her office to discuss about something,	2	left the office to take a phone call and
3	stood over her desk and called her a	3	Isiah said to her, "Just remember, fucking
4	bitch.	4	bitch, I am the fucking president of this
5	Q What did she tell you what	5	team."
6	happened when she called Isiah Thomas?	6	And then Steve Mills came back
7	A Prior to her calling Isiah	7	into the office and they concluded the
8	Thomas, Frank Murphy left the office.	8	meeting.
9	Faye Brown, who was her assistant, walked	9	Q Between the time of this alleged
10	in, asked her if there was anything wrong	10	occurrence in the spring of '04 and today,
11	and she got on the phone and called Isiah	11	have you had conversations with Anucha
12	Thomas to tell him about -- Anucha	12	Browne Sanders where she has talked about
13	Browne Sanders got on the phone, called	13	this event?
14	Isiah Thomas to tell him what Frank called	14	MR. MINTZER: Objection to form.
15	her and did.	15	A No.
16	Q And what did she then tell you	16	Q So there haven't been times after
17	occurred in that conversation?	17	you went back to Indiana when she called
18	A She told me that Isiah told her,	18	and talked to you about the fact that
19	"What the fuck is your job? What the fuck	19	Isiah Thomas had called her a bitch?
20	do you do? You fucking bitch, fucking	20	MR. MINTZER: Objection to form.
21	ho."	21	Mischaracterizes the testimony.
22	Q And you are saying you have a	22	A In this specific occurrence, no.
23	specific memory of her telling you both	23	Q So you are saying "in this
24	about the word "bitch" and the word "ho"	24	specific occurrence" and you are referring
25	in March of '04?	25	to the meeting with Mills, that the only
	79		81
1	<b>JEFFREY NIX</b>	1	<b>JEFFREY NIX</b>
2	A That was a pretty telling	2	time she talked to you about this event
3	statement. I would remember that, yes.	3	was in the spring of '04?
4	Q Okay.	4	A Shortly after that meeting.
5	A In the -- excuse me. In the	5	Q And when she told you that, did
6	spring of '04.	6	you say to her -- strike that.
7	Q In the spring of '04.	7	Did she tell you that she had
8	A Yes.	8	told Mills about Isiah Thomas' outburst?
9	Q And when she told you about it,	9	A Anucha Browne Sanders told me
10	did she say she was going to do anything	10	that Steve Mills was aware of the
11	about it?	11	outburst, yes.
12	MR. MINTZER: Objection to form.	12	Q Well, did she tell it to you in
13	A She told me she was calling Steve	13	that way in the conversation?
14	Mills.	14	MR. MINTZER: Objection to form.
15	Q And did she ever tell you that in	15	A She told me that Steve was aware
16	fact she called Steve Mills?	16	of what transpired in the meeting.
17	A She told me that they had a	17	Q I guess what I'm saying to you
18	meeting the following day with Steve	18	is: Is if she was communicating this all
19	Mills, Isiah Thomas and Anucha	19	to you within a few days of its happening,
20	Browne Sanders.	20	did she say to you, "I told Steve, I
21	Q And did she tell you what had	21	talked to Steve later. This is what I
22	occurred at the time of that meeting?	22	said to Steve, this is what Steve said to
23	A She told me that Steve Mills	23	me"?
24	clearly stated her job responsibilities to	24	MR. MINTZER: Objection to form.
25	Isiah, and then at that time Steve Mills	25	A She just said Steve's aware of

	90		92
1	JEFFREY NIX	1	JEFFREY NIX
2	personnel that were back there never	2	across from the locker room, which we
3	really changed as far as I know. I mean,	3	would call the bike room, stationary bikes
4	you have three specific locations for the	4	in there, and he told her that there would
5	most part. You have the New York Knicks	5	be no more player appearances and, "Don't
6	locker room, you have the lounge area and	6	you fuck up what I'm trying to do here,
7	you have the New York Rangers' locker	7	you fucking bitch."
8	room.	8	Q And you have a specific
9	Q What kind of changes took place	9	recollection of her telling you that at
10	in terms of after Isiah Thomas came in	10	that time?
11	12 terms of people who would have access to	11	MR. MINTZER: Objection to form.
12	13 the lounge or the ability to come in the	12	A Soon after that time, yes.
13	lounge?	13	Q So it's now at least two
14	A I think he just wanted to keep it	14	occasions that she has told you that he's
15	off limits -- I don't think Isiah wanted	15	called her a bitch?
16	17 people just lounging and hanging out there	16	A He has called her a fucking
17	during the game, being around there. He	17	bitch.
18	wanted to create a sterile environment	18	Q So it's two occasions that you
19	around the team on game days at Madison	19	are saying that she told you at or near
20	Square Garden.	20	the event that he called her a fucking
21	Q Did he ever tell you why?	21	bitch?
22	A No.	22	MR. MINTZER: Asked and answered.
23	Q Did there ever come a time in	23	Q Is that correct?
24	25 this January-to-March time frame -- strike	24	A What event?
	that.	25	Q You told me I think that there
		91	
1	JEFFREY NIX	1	JEFFREY NIX
2	In this January-to-March time	2	was the event that you just described for
3	frame, did Isiah Thomas ever make a	3	me, correct?
4	statement to you where he said, "Players	4	A After a game in February of '04.
5	aren't going to do any more community	5	Q Okay.
6	events"?	6	And I believe you told me that he
7	A No.	7	called her a fucking bitch in a phone call
8	Q Did anyone ever tell you that he	8	after she had the interaction with Murphy,
9	had said such a thing?	9	correct?
10	A Yes.	10	A That's correct.
11	Q Who told you that?	11	Q Any other events that she told
12	A Anucha.	12	you about where he called her a fucking
13	Q And when did she tell you that?	13	bitch?
14	A She told me after the Utah loss	14	MR. MINTZER: Objection to form.
15	in I think February of '04.	15	A Not that I am aware.
16	Q Did she tell you that he had made	16	Q Any other events that you haven't
17	that statement to her himself?	17	told me about where he called her a bitch?
18	A Yes.	18	MR. MINTZER: Objection to form.
19	Q What exactly did she tell you he	19	A There are times -- I can't
20	had said?	20	specifically -- but there were times in
21	A It was after a loss against Utah	21	conversations where she would say he
22	at Madison Square Garden and it was in the	22	called her a bitch.
23	hallway outside the locker room. She told	23	Q But she never told you about
24	me that -- Anucha told me that he grabbed	24	those times until after you had gone back
25	her by the arm, pulled her into the room	25	to Indiana; isn't that correct?

24 (Pages 90 to 93)

1 <b>JEFFREY NIX</b> 2                    MR. MINTZER: Objection to form. 3 <b>A</b> No. I worked -- I was there for 4                    a year and she told me things were going 5                    on. 6 <b>Q</b> When's the next time she told you 7                    that, that he had called her a bitch? 8 <b>A</b> She told me over the course of 9                    two years that he would call her a bitch, 10                   on occasion. 11 <b>Q</b> When's the next time he called 12                   her a bitch? 13 <b>MR. ADES:</b> If you remember that 14                   she told you he called her a bitch. 15 <b>A</b> I don't remember. 16 <b>Q</b> Regardless of when the next time 17                   was, did she tell you that she had told 18                   Steve Mills? 19 <b>MR. MINTZER:</b> Objection to form. 20 <b>A</b> She told me that Steve Mills was 21                   aware. 22 <b>Q</b> So regardless of when this next 23                   time was, the conversation went something 24                   like this: "Isiah called me a bitch 25                   again, but Steve Mills is aware"?	94 1 <b>JEFFREY NIX</b> 2                    But -- strike that. 3                    By the next time after the events 4                    that you've now told me about, by the next 5                   time she says to you that he's called her 6                   a bitch, did she tell you at that time 7                   that she's talked to somebody in human 8                   resources? 9 <b>MR. MINTZER:</b> Objection to form. 10 <b>A</b> I don't recall that. 11 <b>Q</b> Did she tell you the next time 12                   that she's talked to somebody in human 13                   resources? 14 <b>A</b> I don't recall. 15 <b>Q</b> At some point in the 16                   conversations that you and she have, don't 17                   you say to her, "You really need to go to 18                   somebody else in human resources"?
95 1 <b>JEFFREY NIX</b> 2                    MR. MINTZER: Objection to form. 3                   Mischaracterizes testimony. 4 <b>Q</b> Is that how the conversation 5                   occurred? 6 <b>A</b> No. Through the course of 7                   conversations she would say, "He called me 8                   a bitch again." 9 <b>Q</b> Did she tell you what was going 10                   on on this next occasion when he called 11                   her that? 12 <b>A</b> I don't recall. I don't recall. 13 <b>Q</b> Did you say to her, "You know, if 14                   in fact that's happening, you really need 15                   to tell somebody else if Steve Mills isn't 16                   doing anything about it"?	97 1 <b>JEFFREY NIX</b> 2                   conversation with her? 3 <b>A</b> No. 4 <b>Q</b> Over the course of '04, while you 5                   are there, how many times is it that she 6                   tells you that this occurs? 7 <b>A</b> Calling her a bitch? 8 <b>Q</b> Yeah. 9 <b>A</b> A few times. 10 <b>Q</b> So we are talking about a few 11                   times more than the times that you've 12                   already told me about; is that correct? 13 <b>MR. MINTZER:</b> Objection. 14 <b>A</b> I think, yeah, there were few 15                   occurrences where she was called a bitch, 16                   yes. 17 <b>Q</b> And while we're kind of still on 18                   that topic, at the time then when you go 19                   back to Indiana, are there any other 20                   occasions after that where she says, "He's 21                   called me a bitch"?

25 (Pages 94 to 97)

<p>1                   <b>JEFFREY NIX</b>  2 around let's say October of '04 until the  3 end of the year of '04.  4                   All right?  5                   <b>A</b> Yes.  6                   <b>Q</b> Just so you get centered in terms  7 of time.  8                   And I understand that there was  9 an event that you witnessed involving a  10 hug between Isiah Thomas and Anucha Browne  11 Sanders; is that correct?  12                   <b>A</b> That's correct.  13                   <b>Q</b> And do you have a specific memory  14 of the date that that occurred?  15                   <b>A</b> It was at the end of December.  16                   Game was Minnesota at the Garden. It  17 probably was 28th, 29th, something like  18 that of December.  19                   <b>Q</b> And so do you recall it being  20 actually the last game before the new  21 year?  22                   <b>A</b> I am not sure if it was the last  23 game. Could have been a road game. It  24 was the last home game before the new  25 year, possibly.</p>	<p>138</p> <p>1                   <b>JEFFREY NIX</b>  2 entrance of Gate 1 during the games?  3                   <b>A</b> That's what I saw, Gate 1, yes.  4                   <b>Q</b> But not only at this particular  5 game, but was it usual that that's where  6 he would be standing?  7                   <b>A</b> Yes.  8                   <b>Q</b> And he would kind of greet people  9 who might be passing through?  10                   <b>MR. MINTZER:</b> Objection to form.  11                   <b>A</b> I don't know if he was greeting  12 people. I don't pay attention to whether  13 he was -- I just know where he was  14 standing. I don't know what he was doing.  15                   <b>Q</b> Okay.  16                   And again, I'm talking more  17 generally. When you would go to games and  18 you would see him, you would see him  19 standing in this Gate 1 area?  20                   <b>A</b> Yes.  21                   <b>Q</b> But you are saying you don't know  22 what he was doing in Gate 1?  23                   <b>A</b> He was watching the game.  24                   <b>Q</b> Okay.  25                   And what did you see happen that</p>
<p>139</p> <p>1                   <b>JEFFREY NIX</b>  2                   <b>Q</b> Did the Knicks win?  3                   <b>A</b> The Knicks won the game, yes.  4                   <b>Q</b> Where would you have watched the  5 game from?  6                   <b>A</b> The TV booth upstairs.  7                   <b>Q</b> And where would Isiah Thomas have  8 watched the game from, if you know?  9                   <b>A</b> At that time, he would have been  10 standing in Gate 1 in the main entrance  11 from the block room to the court.  12                   <b>Q</b> Okay.  13                   And where was Anucha, if you  14 know?  15                   <b>A</b> I don't recall where she was.  16                   <b>Q</b> She didn't watch it from the TV  17 booth?  18                   <b>A</b> I don't recall. I don't think  19 so, no.  20                   <b>Q</b> And before I get into the actual  21 facts of what you saw, is it fair to say  22 that Isiah Thomas, during the time period  23 that he was acting as president in this  24 kind of general manager role, that he  25 would actually stand in Gate 1, at the</p>	<p>141</p> <p>1                   <b>JEFFREY NIX</b>  2 night between Anucha Browne Sanders and  3 Isiah Thomas?  4                   <b>A</b> I left the TV booth prior to the  5 end of the game. We were leading. I took  6 the elevator from that area down to the  7 courtside, court level, and my usual route  8 was behind the -- underneath the Garden,  9 underneath the stands, whatever you want  10 to call it. Down the hallway past the  11 visitors' locker room and then into the  12 hallway, continued down that hallway into  13 the Knicks' locker room is at.  14                   I specifically remember that as I  15 walked past the locker room of the  16 Minnesota Timber Wolves, Kevin Garnett  17 passed me in the hallway as he walked into  18 the locker room. He was upset. He was  19 yelling at the team because they played  20 poorly and the Knicks won.  21                   As I continued down the hall,  22 went through the doors leading to the  23 entrance to the Knicks/Rangers hallway,  24 and that's when I saw an embrace and then  25 what looked to me like she pushed away and</p>

<p>1                   <b>JEFFREY NIX</b></p> <p>2   <b>then she walked down --</b></p> <p>3    Q   Let me stop you there for a</p> <p>4    minute.</p> <p>5    MR. MINTZER: Wait. Let him give</p> <p>6    his full answer, Counsel, please. He's</p> <p>7    telling you what he saw. And then you can</p> <p>8    follow up. I think that's the appropriate</p> <p>9    thing to do. The witness should be</p> <p>10   allowed to give his full answer.</p> <p>11   Q   Let me stop you there. We will</p> <p>12   come back to that point.</p> <p>13   You've indicated that you hear</p> <p>14   Kevin Garnett yelling at his teammates and</p> <p>15   you see an embrace, and I want to direct</p> <p>16   your attention to that part of your</p> <p>17   testimony for the moment and then we'll</p> <p>18   come back so you can finish your answer.</p> <p>19   Tell me what you see in terms of</p> <p>20   where Anucha is standing, where Isiah</p> <p>21   Thomas is standing.</p> <p>22   A   <b>It was up close to the entrance</b></p> <p>23   <b>to the New York Rangers' locker room.</b></p> <p>24   Q   Are other people standing in the</p> <p>25   area as well?</p>	<p>142</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   Q   And how long did it last that you</p> <p>3   saw it before it broke?</p> <p>4   A   <b>It was a brief -- it seemed brief</b></p> <p>5   <b>to me and it looked like she pushed away</b></p> <p>6   <b>and started walking down the hallway.</b></p> <p>7   Q   And what did he do after she</p> <p>8   started walking down the hallway?</p> <p>9   A   <b>I am not sure because I walked</b></p> <p>10   <b>past her and I walked into the lounge area</b></p> <p>11   <b>so I am not sure what he did after that,</b></p> <p>12   <b>whether he went to the coach's locker room</b></p> <p>13   <b>or our locker room, the Rangers' locker</b></p> <p>14   <b>room. I have no idea.</b></p> <p>15   Q   After she pushes away and you see</p> <p>16   her, what happens next?</p> <p>17   A   <b>She walked probably 10, 15 feet</b></p> <p>18   <b>towards the Knicks' locker room, almost</b></p> <p>19   <b>like she was going to walk out of the</b></p> <p>20   <b>hallway at the other end. And then she</b></p> <p>21   <b>did an abrupt turn and then that's where I</b></p> <p>22   <b>passed her, walking, and she walked -- she</b></p> <p>23   <b>told me she walked out into Gate 1 as I</b></p> <p>24   <b>walked past into the lounge area.</b></p> <p>25   Q   So you don't stop and talk to her</p>
<p>143</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   A   <b>I think some people might have</b></p> <p>3   <b>been trying to walk through to the locker</b></p> <p>4   <b>room area. The game had just concluded.</b></p> <p>5   Q   Can you tell whether Isiah is</p> <p>6   talking to anyone else or talking to</p> <p>7   anyone when this embrace occurs?</p> <p>8   A   <b>I didn't see him talking with</b></p> <p>9   <b>anyone, no.</b></p> <p>10   Q   Okay.</p> <p>11   And where is it that you see his</p> <p>12   hands?</p> <p>13   A   <b>I just saw his hands around her,</b></p> <p>14   <b>embracing her.</b></p> <p>15   Q   Okay.</p> <p>16   Is her back to you?</p> <p>17   A   <b>No. It was like a 45-degree</b></p> <p>18   <b>angle where I could see where his hands</b></p> <p>19   <b>were around her and it was at an angle to</b></p> <p>20   <b>the wall. It was not directly against the</b></p> <p>21   <b>wall or directly -- I did not see Isiah's</b></p> <p>22   <b>back. I saw at an ankle.</b></p> <p>23   Q   Did you see the beginning of the</p> <p>24   embrace?</p> <p>25   A   <b>No.</b></p>	<p>145</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   at that point?</p> <p>3   A   <b>No, no.</b></p> <p>4   Q   And so she tells you what? The</p> <p>5   same evening that that's what happens?</p> <p>6   A   <b>When I passed her, she looked</b></p> <p>7   <b>disturbed. I knew something happened and</b></p> <p>8   <b>then she was out.</b></p> <p>9   Then after I was in lounge, I</p> <p>10   walked back out into the Gate 1 area and</p> <p>11   that's when I saw her and she was -- she</p> <p>12   was disturbed.</p> <p>13   Q   Okay.</p> <p>14   And did you and she talk about</p> <p>15   the reasons for her being disturbed at</p> <p>16   that time?</p> <p>17   A   <b>Yes.</b></p> <p>18   Q   And what did you say to her?</p> <p>19   A   <b>I said, "You got to talk to Steve</b></p> <p>20   <b>about this."</b></p> <p>21   Q   No. What's the very first thing</p> <p>22   you said to her when you saw her there?</p> <p>23   A   <b>I said "Hi, how you doing?"</b></p> <p>24   Q   And what did she say?</p> <p>25   A   <b>She said -- I don't know exactly</b></p>

	146		148
1	JEFFREY NIX	1	JEFFREY NIX
2	what she aid. Probably not well, not	2	MS. FRANCO: I've been corrected
3	doing well. I am not sure what she said.	3	on something. Let me withdraw that
4	Q So you don't recall the words	4	question.
5	that she used?	5	Q When you were interviewed in May
6	A I recall her saying, "You are not	6	of '06, did you make the statement about
7	going to believe what just happened."	7	what occurred just as you have now?
8	Q Okay.	8	A To my knowledge, I did, yes.
9	And what else did she say, if	9	Q And did she tell you why that
10	anything?	10	upset her?
11	A He just -- she said that he said,	11	MR. MINTZER: Objection to form.
12	"I am in love with you, and it's like and	12	A No, she didn't. She didn't need
13	love basketball."	13	to tell me why it upset her. I clearly
14	Q And you are saying you have a	14	understood why she was upset when she told
15	specific recollection today of her saying	15	me what was said.
16	that to you that night?	16	Q And why did you believe she was
17	A Yes.	17	upset?
18	Q This isn't some memory that's	18	A Because what was said to her I
19	been refreshed since the time of its	19	would suspect would clearly upset a
20	occurrence?	20	married woman.
21	A No.	21	Q Did she tell you what the context
22	MR. MINTZER: Objection.	22	was in which that conversation occurred?
23	Q Did you ever tell anyone actually	23	A The only thing she told me was
24	that the conversation had something to do	24	she was walking back in there and then he
25	with a playground?	25	grabbed her and hugged her. To my
	147		149
1	JEFFREY NIX	1	JEFFREY NIX
2	A A playground?	2	knowledge, I don't think there's any
3	Q Yes.	3	discussion prior to that.
4	A No.	4	Q Okay.
5	Q Did you ever make any statement	5	By December of 2004, from your
6	to anyone that indicated that what was	6	conversations with Anucha, did you have
7	said at that time was something different	7	the sense by that time that she and Isiah
8	than what you've now told me?	8	Thomas were not interacting well with each
9	MR. MINTZER: Objection to form.	9	other?
10	A No.	10	MR. MINTZER: Objection to form.
11	Q How many times have you told this	11	A I sensed that there was some
12	story to anyone?	12	tension.
13	A I haven't told it to anyone, that	13	Q Did she ever tell you that she
14	I can remember. Other than Rob. Rob's is	14	would make notes in a journal on a daily
15	aware of it.	15	basis of either work events or her
16	Q When you met with counsel back in	16	personal life events?
17	May of '06, did you tell them the story	17	MR. MINTZER: Objection to form.
18	just as you have told me?	18	A She had a book that she's had
19	MR. MINTZER: Objection to form.	19	every day, that she carries every day at
20	You are asking about his conversations	20	Madison Square Garden. She writes notes.
21	with Madison Square Garden counsel?	21	Q So you've actually seen that
22	MS. FRANCO: Yes.	22	book?
23	MR. CESARATTO: Wait. Can we	23	A Yes.
24	take a break a second.	24	Q Did she ever tell you how she
25	(Discussion off the record.)	25	characterized that interaction with Isiah

	166		168
1	JEFFREY NIX	1	JEFFREY NIX
2	frame, does Anucha Browne Sanders tell you	2	scars?
3	that anything has occurred with Isiah	3	MR. MINTZER: Objection to form.
4	Thomas that she considers to be	4	A That's what I recall.
5	inappropriate?	5	Q And what does she say to you
6	A In '05, there was a situation I	6	about it?
7	think when they compared their scars and	7	MR. MINTZER: Objection to form.
8	he said, "I'm in love with you" and "I	8	Asked and answered.
9	think you're beautiful."	9	A She just told me that.
10	Q And you are saying that he	10	Q Does she say that it's keeping
11	told -- that she told you that, when?	11	her from doing her job?
12	A Sometime during that time period,	12	A She just said that she told Steve
13	I imagine.	13	Mills about it.
14	Q Well, how is it that you recall	14	Q Okay.
15	that it occurred during that time period?	15	But -- but is she saying to you
16	MR. MINTZER: Objection to form.	16	words to the effect of, "Oh, my gosh, this
17	A Because that's when I personally	17	guy thinks he's in love with me, what am I
18	think that that's when it happened.	18	going to do"?
19	Q And what I'm trying to find out	19	A No. She cannot believe what is
20	is whether you personally think that	20	being said and she relays that to Steve
21	happened then because you have a specific	21	Mills and says, "Steve, what is going on
22	memory of it or whether or not you've	22	here. Something needs to be addressed."
23	refreshed your memory by reading the	23	Q Okay.
24	Complaint about it.	24	Did she ever tell you that she
25	A I have not read the Complaint	25	actually believed that Isiah Thomas was in
	167		169
1	JEFFREY NIX	1	JEFFREY NIX
2	since it came out.	2	love with her?
3	Q And is this something you would	3	A Did she specifically ask me if,
4	have shared with the interviewers back in	4	tell me if she thought Isiah Thomas --
5	May of '06?	5	Q Right.
6	A That, I don't recall. I don't	6	A No.
7	remember if I did.	7	Q Did she tell you that she thought
8	Q And what is it that she tells	8	he was doing it as a way of mocking her?
9	you? Anything other than what you've now	9	A No.
10	told me?	10	Q Did she tell you that he was
11	A No, no. That's what she said.	11	doing it as a way of trying to get on her
12	Q And what did she tell you that	12	good side in order to kind of improve the
13	she says in response?	13	relationship between the two of them?
14	A She said -- if I recall, she said	14	MR. MINTZER: Objection to form.
15	something to the effect that "You're	15	A She did not say that.
16	ridiculous" and walked away.	16	Q I mean, did she say to you in the
17	Q And you have a specific	17	context of, "Can you believe the nerve of
18	recollection of her making that response	18	that guy. He knows we are not getting
19	in this January to June '05 time frame?	19	along and he's trying to, you know, he's
20	MR. MINTZER: Objection to form.	20	trying to kind of jostle me along by
21	Asked and answered.	21	telling me that he thinks he loves me"?
22	A I think it was during that time	22	MR. MINTZER: Objection to form.
23	frame.	23	A She thought it was kind of
24	Q Okay.	24	unusual that for a year how he treated her
25	In response to the comparison of	25	so with hostility, and all of a sudden now

<p>1                   <b>JEFFREY NIX</b></p> <p>2   <b>A   Maybe in the locker room. I</b></p> <p>3   <b>can't specifically pinpoint it, but I've</b></p> <p>4   <b>heard that phrase before, yes.</b></p> <p>5   <b>Q   Okay.</b></p> <p>6   <b>As you understand that term, do</b></p> <p>7   <b>you think it has anything to do with</b></p> <p>8   <b>actually being in love with a person?</b></p> <p>9   <b>MR. MINTZER: Objection to form.</b></p> <p>10   <b>A   If I was a woman and a male said</b></p> <p>11   <b>that to me, I would feel uncomfortable.</b></p> <p>12   <b>Q   That's not my question.</b></p> <p>13   <b>Why don't you read the question</b></p> <p>14   <b>back.</b></p> <p>15   <b>(Requested portion of record</b></p> <p>16   <b>read.)</b></p> <p>17   <b>A   No.</b></p> <p>18   <b>Q   When Anucha Browne Sanders talked</b></p> <p>19   <b>to you about it, did she give you any</b></p> <p>20   <b>indication that Isiah Thomas was making</b></p> <p>21   <b>that statement to her as a statement of</b></p> <p>22   <b>love?</b></p> <p>23   <b>MR. MINTZER: Objection to form.</b></p> <p>24   <b>A   No.</b></p> <p>25   <b>Q   Did she tell you what it was that</b></p>	<p>278</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   <b>"we" meaning Isiah or the New York Knicks,</b></p> <p>3   <b>would provide the concierge at the team</b></p> <p>4   <b>hotels with nightclubs where players could</b></p> <p>5   <b>go and get free drinks or whatever to keep</b></p> <p>6   <b>them out late before we played them.</b></p> <p>7   <b>Q   And did she tell you that that</b></p> <p>8   <b>was actually under discussion at this game</b></p> <p>9   <b>as a serious plan?</b></p> <p>10   <b>MR. MINTZER: Objection to form.</b></p> <p>11   <b>Mischaracterizes testimony.</b></p> <p>12   <b>A   I don't know how it was brought</b></p> <p>13   <b>up or -- I don't know. I wasn't at that</b></p> <p>14   <b>meeting. So I don't know.</b></p> <p>15   <b>Q   Did she tell you people laughed</b></p> <p>16   <b>about it?</b></p> <p>17   <b>A   No, she didn't.</b></p> <p>18   <b>Q   Did she tell you that people</b></p> <p>19   <b>asked her why she wasn't laughing about it</b></p> <p>20   <b>along with others?</b></p> <p>21   <b>A   No.</b></p> <p>22   <b>Q   I used the term "offsite" with</b></p> <p>23   <b>you a couple minutes ago and I think</b></p> <p>24   <b>you've used it during the course of the</b></p> <p>25   <b>deposition here today.</b></p>	<p>279</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   <b>disturbed her about that statement?</b></p> <p>3   <b>A   The fact that for two years or</b></p> <p>4   <b>for a year those type of things have been</b></p> <p>5   <b>said and she didn't appreciate it.</b></p> <p>6   <b>Q   Did she ever -- did Anucha Browne</b></p> <p>7   <b>Sanders ever tell you that Isiah Thomas</b></p> <p>8   <b>had ever made any statements to her about</b></p> <p>9   <b>scheduling Sunday games?</b></p> <p>10   <b>A   Yes.</b></p> <p>11   <b>Q   And what, if anything, did she</b></p> <p>12   <b>say to you?</b></p> <p>13   <b>A   She said that there was a meeting</b></p> <p>14   <b>that involved some executives, including</b></p> <p>15   <b>herself and Isiah, where Isiah proposed</b></p> <p>16   <b>putting the scheduled dates, the</b></p> <p>17   <b>availability of Madison Square Garden</b></p> <p>18   <b>dates for New York Knicks basketball where</b></p> <p>19   <b>we would try to schedule afternoon games</b></p> <p>20   <b>on Sunday so teams would have to be in on</b></p> <p>21   <b>Saturday evening.</b></p> <p>22   <b>And thus the teams and the</b></p> <p>23   <b>players who were in town would have the</b></p> <p>24   <b>ability to go out in the New York City</b></p> <p>25   <b>nightlife and that we would provide --</b></p>	<p>281</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   <b>What does the term "offsite" mean</b></p> <p>3   <b>to you?</b></p> <p>4   <b>A   Business activities away from</b></p> <p>5   <b>Madison Square Garden or our practice</b></p> <p>6   <b>facility.</b></p> <p>7   <b>Q   Has Isiah Thomas ever requested</b></p> <p>8   <b>any off-site meetings with you?</b></p> <p>9   <b>A   No.</b></p> <p>10   <b>Q   Have you ever heard him use the</b></p> <p>11   <b>term "offsite"?</b></p> <p>12   <b>A   I have not heard him use that</b></p> <p>13   <b>term, no.</b></p> <p>14   <b>Q   Did Anucha Browne Sanders ever</b></p> <p>15   <b>have any conversation with you in which</b></p> <p>16   <b>she told you that Isiah Thomas had</b></p> <p>17   <b>requested an off-site meeting with her?</b></p> <p>18   <b>A   Yes.</b></p> <p>19   <b>Q   And did that disturb her?</b></p> <p>20   <b>A   Yes.</b></p> <p>21   <b>Q   And did she tell you why it</b></p> <p>22   <b>disturbed her?</b></p> <p>23   <b>A   Because he had mentioned that it</b></p> <p>24   <b>would be at the Mandarin Hotel here in</b></p> <p>25   <b>Manhattan.</b></p>
---	---	--	--

<p style="text-align: right;">282</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   Q  And did she tell you why an 3   off-site meeting at the Mandarin Hotel 4   would disturb her?</p> <p>5   A  <b>Her impressions of the 6   conversation, according to what she told 7   me, was that she felt uncomfortable that 8   this was not going to be a business- 9   related activity.</b></p> <p>10   Q  Did she tell you that there was 11   anything that Isiah Thomas said which in 12   any way, shape or form indicated that this 13   would not be a business-related activity?</p> <p>14   MR. MINTZER: Objection to form.</p> <p>15   A  <b>No, I don't think sex or anything 16   like that was ever mentioned.</b></p> <p>17   <b>(Nix Exhibit 1, MSG-03931 and 18   MSG-03946 through MSG-03949, was 19   marked for Identification.)</b></p> <p>20   Q  Why don't you take a look at that 21   and when you are done reviewing it, tell 22   me that you have reviewed it and I'll ask 23   you some questions about.</p> <p>24   MR. ADES: All of it?</p> <p>25   Q  Actually, I am going only going</p>	<p style="text-align: right;">284</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   about certain conversations with Stephon 3   Marbury?</p> <p>4   MR. MINTZER: Objection to form.</p> <p>5   A  <b>Seems that way, yes. Yes.</b></p> <p>6   Q  After you received this e-mail, 7   did you and Anucha Browne Sanders have a 8   conversation about it?</p> <p>9   A  <b>I think we discussed it, yes.</b></p> <p>10   Q  Would you agree with me that 11   there's nothing, at least in the first 12   page of this document, that indicates that 13   Isiah Thomas had anything to do with the 14   statements made of Stephon Marbury?</p> <p>15   MR. MINTZER: Objection. The 16   document speaks for itself.</p> <p>17   A  <b>I don't see anything --</b></p> <p>18   MR. ADES: There is no mention of 19   Isiah in this.</p> <p>20   A  <b>Yeah, so I mean ...</b></p> <p>21   Q  Well, your testimony earlier was 22   that -- that -- and tell me if I am 23   misstating it because it's been a long 24   day -- that somehow Isiah had something to 25   do with Stephon Marbury's reaction or</p>
<p style="text-align: right;">283</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   to be questioning you with regard to 3   Page 1 of the document.</p> <p>4   MR. MINTZER: Lucy, I'll note for 5   the record the first two pages are 6   sequential e-mail and the balance of it is 7   a different e-mail, not sequentially Bates 8   numbered. So it seems like they're two 9   different documents. So if you have a 10   reason for marking them together, that's 11   your prerogative. But I just want to note 12   it for the record.</p> <p>13   MR. ADES: You read it and 14   everything? You understand it, what it 15   says? Because some of it is blurry.</p> <p>16   MS. FRANCO: I apologize.</p> <p>17   MR. ADES: No problem.</p> <p>18   Q  Do you recall receiving this 19   e-mail from Anucha Browne Sanders in or 20   around November 28 of 2005?</p> <p>21   A  Yes.</p> <p>22   Q  And is this an e-mail that 23   references the conversation that you and I 24   have already discussed with regard to Dan 25   Gladstone telling Anucha Browne Sanders</p>	<p style="text-align: right;">285</p> <p>1                   <b>JEFFREY NIX</b></p> <p>2   statements with regard to Anucha Browne 3   Sanders.</p> <p>4   MR. MINTZER: Objection to form.</p> <p>5   Q  Am I incorrect in that belief?</p> <p>6   A  <b>My opinion, which you don't want</b> 7   <b>...</b></p> <p>8   Q  I don't.</p> <p>9   MR. ADES: What was the question 10   again so we could understand.</p> <p>11   MS. FRANCO: My question was 12   whether or not he had indicated to me in 13   earlier conversation that somehow Isiah 14   Thomas was connected to Stephon Marbury's 15   statements about Anucha Browne Sanders.</p> <p>16   MR. MINTZER: Objection to form.</p> <p>17   MR. ADES: You mean did Anucha 18   tell him that Isiah was involved --</p> <p>19   MS. FRANCO: Yeah.</p> <p>20   I think that was the nature of 21   your conversation with Anucha. But you 22   will tell me if I'm incorrect in that 23   regard.</p> <p>24   MR. ADES: Do you understand what 25   Lucy is asking?</p>

72 (Pages 282 to 285)

# Exhibit 13

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANUCHA BROWNE SANDERS,

Plaintiff,

-against- 06 CV 0589 (GEL)

MADISON SQUARE GARDEN, L.P.,  
ISTIAH LORD THOMAS, III and  
JAMES L. DOLAN,

Defendants.

-----X

VIDEOTAPED DEPOSITION OF ROBERT LEVY, ESQ.

New York, New York

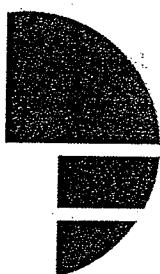
Wednesday, February 28, 2007

REPORTED BY:

BARBARA R. ZELTMAN

Job No. 11986

1000 3rd Avenue  
New York, NY 10022  
(800) 642-1099



**David Feldman**  
Worldwide

From File to Trial.

805 Third Avenue, 8<sup>th</sup> Floor  
New York, NY 10022  
(800) 642-1099

600 Anton Boulevard, 11<sup>th</sup> Floor  
Costa Mesa, CA 92626  
(866) DFW-1380

	18		19
1		1	
2	ROBERT LEVY, ESQ.	2	ROBERT LEVY, ESQ.
3	A If the right deal's presented,	3	called the Vladeck firm regarding the
4	I think nobody on the team is untouchable	4	case?
5	in my mind, let's put it that way.	5	A I did.
6	Q Not even Jamal Crawford?	6	Q How long after seeing the
7	A I'm a Jamal Crawford fan, but	7	newspaper article did you call them?
8	if we could have gotten Ray Allen and we	8	A To the best of my recollection,
9	needed to sacrifice Jamal Crawford, I	9	it would have been within a week to ten
10	would have endorsed that move.	10	days. But I am not certain.
11	Q How did you learn about this	11	Q Why did you call them?
12	lawsuit?	12	A I called them because I thought
13	A I learned about this lawsuit	13	that I had witnessed, for lack of a
14	walking through Penn Station after	14	better word, an incident that might be
15	getting off the train commuting to work,	15	relevant to the lawsuit. And as a
16	and I believe I saw the front -- back	16	plaintiff's employment lawyer, I am
17	page of either the Daily News or the	17	frequently calling on people who I think
18	New York Post.	18	have relevant information to my cases and
19	Q And you bought the paper?	19	asking them to take their time and get
20	A I think I picked it up off the	20	involved. And I felt like I had made the
21	garbage, trash. They lie on top in the	21	pitch so often to people that the system
22	metal -- I didn't go fishing in.	22	really only works if people are willing
23	Q An honored and venerable	23	to come forward and give of their time,
24	New York tradition.	24	that I needed to be true to that idea.
25	A Absolutely.	25	Q Did you call any of the lawyers
	Q Did there come a time when you		representing the defendants?
	20		21
1	ROBERT LEVY, ESQ.	1	ROBERT LEVY, ESQ.
2	A I did not.	2	it was late October of 2005, and that I
3	Q Did you call the Garden?	3	had witnessed a communication between
4	A I did not.	4	Mr. Thomas and Ms. Browne Sanders. And I
5	Q Did you seek to use some other	5	said something to the effect, "I'm going
6	means that would result in the Garden	6	to tell you this story, and you decide if
7	becoming aware of the relevant	7	it's of interest to you." And I
8	information that you had?	8	proceeded to tell him what I observed.
9	A I did not.	9	Q And what did you tell him?
10	Q When you called the Vladeck	10	A I told him that I was at the
11	firm, who did you talk to?	11	open practice with my son. I was sitting
12	A I believe I spoke with	12	about three or four rows from the front
13	Mr. Mintzer. I believe his name was	13	row at center court, what I think -- near
14	listed in one of the articles in one of	14	what I think people call Gate 1, right
15	the papers.	15	where Mr. Thomas was traditionally seen
16	Q And how long was that	16	perched when he was acting solely as
17	conversation?	17	general manager as opposed to coach.
18	A Best of my recollection,	18	And I saw him have a
19	somewhere between 20 and 30 minutes, but	19	conversation with -- is it Sanders
20	it may not have been that long, and it	20	Browne --
21	may have been a few minutes longer. I am	21	Q Browne Sanders.
22	not quite certain.	22	A Browne Sanders.
23	Q What did you tell him?	23	-- with Ms. Browne Sanders and
24	A I told him that I had attended	24	another gentleman, who I came to believe
25	the Knicks open practice in -- I believe	25	was Michael Ray Richardson.

	22		23
1	ROBERT LEVY, ESQ.	1	ROBERT LEVY, ESQ.
2	And specifically, I told him	2	papers.
3	that I had heard Mr. Thomas say to Michael	3	<b>Q And did you have any --</b>
4	Ray Richardson, assuming it was him, that	4	Well, what did Mr. Mintzer say
5	Ms. Browne Sanders was doing a terrific	5	to you?
6	job for the organization and words to that	6	A To the best of my recollection,
7	effect and also say that it was sometimes	7	he said, "Thank you very much and I may
8	distracting to work with someone so	8	be back in touch."
9	attractive, she was very easy on the eyes.	9	<b>Q And was he back in touch?</b>
10	And at some point made a comment like "but	10	A At some point, he called me. I
11	I can't get any love from her" or "I can't	11	think the next time I spoke to him he
12	get no love from her." I don't	12	called me and told me that he was listing
13	specifically remember the words used.	13	me in the Plaintiff's Rule 26 disclosure
14	I also told him that during the	14	statement. And I said, "Thanks very much
15	portion of the conversation that I	15	and so be it."
16	witnessed, Mr. Thomas had his -- I think	16	<b>Q And how long was that</b>
17	it was his left arm around Ms. Browne	17	<b>conversation?</b>
18	Sanders' shoulders and that she seemed	18	A That conversation, to the best
19	uncomfortable with that.	19	of my recollection, was a couple of
20	And then I told him that I had	20	minutes.
21	an exchange with my friend, Mr. Schindel,	21	<b>Q Did you know anyone in the</b>
22	who was there with his family, after that.	22	<b>Vladeck firm prior to the time you called</b>
23	And I may have described the subsequent	23	<b>them?</b>
24	conversation I had with Mr. Schindel on	24	A I went to law school with
25	the day that the story broke in the	25	\Ann\Anne\* Clark, who I believe is at
	24		25
1	ROBERT LEVY, ESQ.	1	ROBERT LEVY, ESQ.
2	the Vladeck firm, and I can't say that we	2	Ms. Clark is very prominent in
3	were -- I knew of her more than I knew	3	that organization, and I believe
4	her. But we certainly have had	4	Ms. Vladeck may have presented at one of
5	conversations in law school and probably	5	the CLE conferences that I attended
6	one or two since then, and I have seen	6	through NELA in New York, although I am
7	her at events.	7	not positive about that.
8	Other than that, I don't think I	8	<b>Q Have you been on any panels</b>
9	know anybody in the firm. I think I may	9	<b>with anybody at the Vladeck firm?</b>
10	have spoke with Ms. Vladeck on the phone a	10	A I don't think so.
11	couple of times.	11	<b>Q Following the conversation that</b>
12	<b>Q Have you been on any</b>	12	<b>you had with Mr. Mintzer in which he told</b>
13	<b>professional committees, Bar Association</b>	13	<b>you that you were being listed on his</b>
14	<b>committees, with anybody in the firm or</b>	14	<b>Rule 26(a) disclosure, did you have any</b>
15	<b>any sort of --</b>	15	<b>further conversations with anybody at the</b>
16	A Yes, I am a member of the	16	<b>Vladeck firm?</b>
17	National Employment Lawyers Association	17	A Mr. Mintzer called me -- I am
18	of New York.	18	going to guess a couple of months
19	<b>Q And that's a plaintiff's</b>	19	later -- and told me that my name had
20	<b>lawyers organization?</b>	20	come up in the case, and he asked me if
21	A Plaintiff's employment lawyers	21	anybody representing the defendants had
22	organization, that's correct. And I'm	22	contacted me.
23	quite certain that there are members of	23	And I told him that I had not
24	Vladeck who are members of that	24	heard from any of the lawyers, but that a
25	organization.	25	private investigator who identified

	50		51
1		1	ROBERT LEVY, ESQ.
2		2	<b>Q</b> And do you recall Ms. Browne
3		3	Sanders saying anything?
4		4	A I believe she put out her hand
5		5	to greet Mr. Richardson. I don't recall
6		6	her saying anything. I recall her
7		7	looking uncomfortable.
8		8	<b>Q</b> Was there anyone else standing
9		9	with them?
10		10	A At the point in time that I
11		11	observed the interaction that I've
12		12	described, I don't recall anybody else
13		13	there, no, not participating in the
14		14	conversation anyway. There were
15		15	certainly people in the area.
16		16	<b>Q</b> Do you recall anyone standing
17		17	in the area paying attention to the
18		18	conversation?
19		19	MR. MINTZER: Objection to
20		20	form.
21		21	A I don't.
22		22	<b>Q</b> Had Mr. Thomas been talking
23		23	with anyone else before Mr. Richardson
24		24	walked up, as you recall?
25		25	MR. MINTZER: Objection to
	52		
1		1	ROBERT LEVY, ESQ.
2		2	form.
3		3	A By way of introducing her to
4		4	Mr. Richardson, he reached over and put
5		5	his hand on her shoulder, I think that's
6		6	right, yeah.
7		7	<b>Q</b> And did he keep his arm on her
8		8	shoulder after the introduction was done
9		9	or not?
10		10	A For the entirety of the
11		11	conversation that I observed and
12		12	described, he left his hand on her
13		13	shoulder.
14		14	<b>Q</b> And did he thereafter take his
15		15	hand off her shoulder?
16		16	A I think he did because I think
17		17	that after that little conversation was
18		18	over, the participants in the
19		19	conversation moved away from each other.
20		20	<b>Q</b> Did Mr. Richardson then leave
21		21	the Garden?
22		22	MR. MINTZER: Objection to
23		23	form.
24		24	<b>Q</b> Leave the tunnel?
25		25	A I don't recall.
	53		
1		1	ROBERT LEVY, ESQ.
2		2	<b>Q</b> You don't recall.
3		3	Did you see him in the area
4		4	after that?
5		5	A I'm fairly certain that
6		6	everybody moved away because I recall
7		7	almost immediately having a conversation
8		8	with Mr. Schindel about what I had just
9		9	witnessed. And I don't think I would
10		10	have spoken to him about that while the
11		11	participants in the interaction were
12		12	three feet away from me.
13		13	<b>Q</b> You have a specific
14		14	recollection of them walking away, or are
15		15	you deducing that from -- from what you
16		16	have -- from your conversation?
17		17	MR. MINTZER: Objection to
18		18	form.
19		19	<b>Q</b> Or are you simply deducing
20		20	that?
21		21	MR. MINTZER: Objection to
22		22	form. Asked and answered.
23		23	You can answer again.
24		24	A It's a good question. I --
25		25	honestly, I have the recollection, but I